

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:01CR163
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
ROBERT E. WATKINS,)	
)	
Defendant.)	

On November 29, 2006, Defendant filed a notice of appeal without payment of the appeal fee. On December 5, 2006, I determined that Defendant's appeal was not taken in good faith and ordered that Defendant was not entitled to proceed in forma pauperis on appeal (filing 254). Defendant has now filed another motion for leave to appeal in forma pauperis (filing 257). I shall deny the motion as moot and direct the Clerk of the United States District Court for the District of Nebraska to forward Defendant's motion and this order to the Eighth Circuit Court of Appeals.

IT IS ORDERED:

1. Defendant's motion for leave to appeal in forma pauperis (filing 257) is denied as moot;
2. The Clerk of the United States District Court for the District of Nebraska shall forward a copy of Defendant's motion (filing 257) and this order to the Eighth Circuit Court of Appeals.

December 13, 2006.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge